

**ASSEMBLY BILL**

**No. 938**

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**Introduced by Assembly Member Charles Calderon**

February 22, 2007

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An act to add Chapter 24.5 (commencing with Section 15000) to Division 7 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 938, as introduced, Charles Calderon. Water districts: urban runoff.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act, and the Porter-Cologne Water Quality Control Act.

This bill would authorize a local water district to acquire, construct, operate, maintain, and furnish facilities for the diversion of urban runoff from a drainage course within that district, the treatment of the urban runoff, the return of the water to the drainage course, or the beneficial use of the water. The bill would specify that a local water district may exercise powers granted to that district by existing law to implement this authority.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) The people of the State of California have a strong desire to have clean beaches, oceans, rivers, and streams.

(b) Stormwater runoff can adversely affect water quality.

(c) The development of comprehensive, effective, adequately funded, and appropriately maintained stormwater quality management systems would enhance water quality outcomes, while also providing a mechanism for long-term management.

(d) Municipal stormwater permits and the imposition of total maximum daily load restrictions are placing an increasing burden on cities, counties, and private and public entities to solve complex and costly water quality problems.

(e) Partnerships among cities and counties with appropriate water agencies and other special districts that are willing to provide comprehensive stormwater management service will benefit the environment, property owners, and local governments, and could yield water supply benefits.

(f) Existing law authorizes certain entities to construct and operate stormwater management facilities. Broadening this authority to apply to all appropriate water districts will provide an opportunity for the development of effective and beneficial partnerships to more effectively treat stormwater in various watersheds throughout the state, thereby improving water quality.

SEC. 2. Chapter 24.5 (commencing with Section 15000) is added to Division 7 of the Water Code, to read:

#### CHAPTER 24.5. URBAN RUNOFF

15000. A local water district may acquire, construct, operate, maintain, and furnish facilities for the diversion of urban runoff from a drainage course within the district, the treatment of the urban runoff, the return of the water to the drainage course, or the beneficial use of the water.

15001. In order to carry out the powers and purposes granted under this chapter, a local water district may exercise any of the powers otherwise granted to that district by law to the extent those powers may be made applicable.

1     15002. This chapter does not affect any obligation of a local  
2     water district to obtain a permit that may be required by law for  
3     the activities undertaken pursuant to this chapter.

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